

## **REMARKS**

Reconsideration of the Application as amended is respectfully requested. In that Office Action, the Examiner sets forth his objections to the Drawings and Claims, and her conclusions under 35 U.S.C. §§ 102 and 103. Applicant will address these issues in *seriatim*. Per the Examiner's instructions, Applicant also makes reference to the Telephone Interview that took place on March 23, 2005, between the Examiner and Applicant's counsel, the Interview Summary of which is attached hereto as Exhibit "1".

## **Objections to Drawings**

The draftsperson has objected to the drawings as failing to provide lines, numbers & letters that are uniformly thick and well-defined (35 C.F.R. 1.84(l)), failing to provide numbers and reference characters that are legible (37 C.F.R. 1.84(p)), and for providing figure legends that are poor (37 C.F.R. 1.84(p)). Applicant contends this rejection is overcome by Applicant's submission of amended drawings made herewith. As such, Applicant respectfully requests the objections to the drawings be withdrawn.

## **Objection to Specification**

The Examiner objects insofar as the Abstract exceeds 150 words in length and may be said to use form and legal phraseology pursuant to M.P.E.P. § 608.01(b). Applicant has amended its Application to include a replacement Abstract, which she contends addresses the Examiner's objection. As such, Applicant contends this objection is overcome.

## **Claim Objections**

The Examiner's objected to Claims 4 and 19 based on their recitation of a trademark.

Applicant has amended these claims and contends they now overcome the Examiner's objection.

## **Claim Rejections Pursuant to 35 U.S.C. § 102**

The Examiner rejects Claims 1, 4, 6, 7, 9, 12, 13, 15, 16, 19 and 20 as being anticipated by Sullivan. While Applicant contends these claims are allowable as written, Applicant has amended these claims commensurate with the parameters discussed during the Telephonic Interview with the Examiner, and offers the following arguments supporting allowability of the claims.

Applicant contends the strap element found in Claims 1, 4, 6, 7 and 20 which may be used pull or drag the recreational blanket across the sand or like surface so that it may be transported by one or more users with contents in place and in tow, is novel (*Application*, pg. 11, lns. 17-19). As such, all desirable items may be transported to a final location inside the recreational blanket itself, and in one single trip (*Application*, pg. 12 lns. 2-5). This use is supported by the strong material used for the underside (*Application*, pg. 11, lns. 2-3). The ability to allow multiple users to transport the present invention is particularly supported when additional straps are incorporated (*Application*, pg. 12, lns. 19-22; pg. 13, lns. 1-2; pg. 14, lns. 9-11), as in claim 7. These straps may be positioned in geometrically desirable configurations to more effectively accommodate stable transportation of the recreational blanket, and render it easier for multiple users to access (*Application*, pg. 7, lns. 13-17; pg. 8, lns. 9-13; pg. 12, lns. 19-22; pg. 13, lns. 1-2; pg. 14, lns. 9-11). The same benefits attributed to the straps may be attributed to the handle element disclosed in the currently amended Claims 9, 12, 13, 15, 16, and 19. These benefits are markedly different than those anticipated for the handle element in Sullivan, which is simply used to grasp and carry the towel/blanket when it is rolled up and empty.

As such it is respectfully contended that the present Claims, as amended, are not obvious in light of the prior art cited.

### **Claim Rejections Pursuant to 35 U.S.C. § 103**

The Examiner rejects Claims 2, 3, 5, 10, 11, 14, 17 and 18 pursuant to 35 U.S.C. § 103(a) as being unpatentable over Sullivan, without citation to further prior art. Furthermore, the Examiner rejects Claims 8 and 12 pursuant to 35 U.S.C. § 103(a) as being unpatentable over Sullivan in view of Perez-Mesa, *et al.* While Applicant contends these claims are allowable as written, Applicant has amended these claims commensurate with the parameters discussed during the Telephonic Interview with the Examiner, and offers the following arguments supporting allowability of the claims.

Applicant asserts that the use of transparent and/or mesh material for the storage compartment in Claims 2, 3, 10, 11 is novel in that the prior art cited does not specifically disclose either transparent or mesh material specifically, nor does the cited prior art anticipate any of the benefits created by use of transparent and/or mesh material. Most notably, the use of transparent or mesh material allows the storage compartment to be visible thereby eliminating the need of physically accessing the contents to learn what is contained therein (*Application*, pg.13, lns. 8-10). As such, a user can readily see what items have already been pre-stored in the storage compartment and move directly to deciding which additional items are needed, and which items can be taken out. The use of mesh material, in particular, further allows for the accommodation of articles of varying and cumbersome shapes, will improve durability in the long run given its inherent strength, and will allow for the aerating and drying of articles that may be wet or damp from use at the ocean, lake, or otherwise. These advantages are not found in the prior art cited, and Applicant respectfully contends these improvements over the prior art render the above Claims 2, 3, 10, and 11 not obvious over Sullivan.

Applicant contends that all of the above claims are allowable based on the disclosure of the strap or handle element, which may be used pull or drag the recreational blanket across the sand, or like surface, so that it may be transported by one or more users with contents in place and in tow (*Application*, pg. 11, lns. 17-19). As such, all desirable items may be brought to the final location in one single trip (*Application*, pg. 12, lns. 2-5). This use is supported by the strong material used for the underside (*Application*, pg. 11, lns. 2-3). The ability to allow multiple users of the present invention is particularly supported when multiple straps or handles are incorporated (*Application*, pg. 12, lns. 19-22; pg. 13, lns. 1-2; pg. 14, lns. 9-11), such as found in Claims 10, 11, 14, 17 and 18. These straps or handles may be positioned in geometrically desirable configurations to more effectively accommodate stable transportation of the recreational blanket, and render it easier for multiple users to use (*Application*, pg. 7, lns. 13-17; pg. 8, lns. 9-13; pg. 12, lns. 19-22; pg. 13, lns. 1-2; pg. 14, lns. 9-11). These benefits are markedly different than those anticipated for the handle element in Sullivan, which is simply used to grasp and carry the towel/blanket when it is rolled up and empty.

Furthermore, the use of a handle opening (*Application*, pg. 13, lns. 11-23), as found in Claim 18, in conjunction with one or more handles provides the benefits of keeping the recreational blanket together and in place more easily and helps to protect the set of handles from coming unattached. Applicant contends this is also a non-obvious feature of the present invention.

Finally, Applicant contends the series of pleats element (*Application*, pg. 11, lns. 11-13), as found in Claim 8, is non-obvious in that it that allows for expansion of the lying pad and as such, the storage compartment, thereby facilitating the storage of large or cumbersome items without compromise to the lying pad.

As such it is respectfully contended that the present claims, as amended, are not obvious and should be allowed.

## **CONCLUSION**

For the foregoing reasons, allowance of the present Application is in order and is respectfully requested. Should the Examiner have any additional questions, she is invited to telephone the undersigned at (310) 215-7519.

Respectfully Submitted,



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